# POLICY BRIEF No. 2 OF 2012

Lake Victoria

## Strengthening Effectiveness of Directives of the LVFO Council of Ministers on Lake Victoria, Uganda





Catch of immature Nile perch



Burning illegal nets

NARO

NaFIRRI

NATIONAL FISHERIES RESOURCES RESEARCH INSTITUTE - NaFIRRI

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## ABBREVIATIONS AND ACRONYMS

| | |
|---|---|
| BMU | Beach Management Units |
| CoM | Council of Ministers |
| DISOs | District Internal Security Officers |
| EAC | East African Community |
| EU | European Union |
| IFMP | Implementation of the Fisheries Management Plan |
| IUU | Illegal Unreported and Unregulated |
| LPAs | Lacustine Protected Areas |
| LVFO | Lake Victoria Fisheries Organisation |
| MAAIF | Ministry of Animal Industry and Fisheries |
| MCS | Monitoring, Control and Surveillance |
| NaFIRRI | National Fisheries Resources Research Institute |
| NARO | National Agricultural Research Organization |
| NP | Nile Perch |
| OC | Officer in-charge |
| RDCs | Resident District Commissioners |
| RPOA | Regional Plan of Action |

## PREFACE

The Lake Victoria Fisheries Organisation (LVFO) was established in 1994 through a convention agreed by the East African Community Partner States (Kenya, Tanzania and Uganda) to coordinate and harmonise efforts towards the sustainable utilisation of the fisheries resources of the Lake Victoria ecosystem. The LVFO comprises of in descending order, the following Organs: The Council of Ministers, The Policy Steering Committee (i.e. The Permanent Secretaries responsible for the fisheries sector), the Executive Committee (i.e. Fisheries Management and Fisheries Research Agencies) and the wider Lake Victoria fisheries sector stakeholders (e.g. Private Sector, Beach Management Units and District Fisheries Units) around Lake Victoria. The LVFO is thus an Agency of the EAC that also relies on Institutions such as the National Fisheries Resources Research Institute (NaFIRRI) to deliver its mandate. According to the LVFO policy frameworks, the Council of Ministers biannually agrees on directives that should be implemented in partner states regarding the Lake Victoria fisheries. The 2009 Directives were aimed at reversing the deteriorating state of the fisheries through various agreed measures by the Partner States. Uganda is the current Chair of the various organs of the LVFO, and NaFIRRI as the research arm, considered that in view of this role, there was need to review the effectiveness of the LVFO Council of Ministers' Directives in relation to the status of implementation of those directives in the Uganda part of Lake Victoria. This Policy Brief prepared by the NaFIRRI Socio-economics section (Dr K. Odongkara, J. Akumu and B. Mbilingi) is an effort to present progress made by Uganda with respect to the 2009 Council of Ministers Directives.

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## EXECUTIVE SUMMARY

Uganda as the current chair of the Lake Victoria Fisheries Resources Organization needs to ensure that all agreed Council of Ministers' Directives and agreed management measures are implemented to stem the deteriorating fisheries of Lake Victoria. Research was done to assess the dissemination and implementation by the Fisheries Department, Local Governments and Beach Management Units and the awareness, acceptance and compliance among fishers to the CoM Directives on management of Lake Victoria fisheries. Conducted by the National Fisheries Resources Research Institute (NaFIRRI), the research focused on the implementation and effectiveness of measures following the LVFO Council of Ministers (CoM) Directives for improved management of the fisheries of Lake Victoria, with particular reference to the 2009 CoM Directives as a case study, it was established that many of the Directives have not been implemented. In cases where the directives were implemented, their effectiveness remains questionable.

While steps were taken to disseminate and implement the Directives, there were some challenges, including the unclear legal status of the Directives, limited dissemination materials and poor methods of dissemination, language barriers and inadequate resources for enforcement.

Fishers were aware of and willing to accept most of the 2009 CoM Directives. However, raising of the minimum legal mesh size to 7 inches from the current 5 inches for Nile Perch fishery; restriction on the use of hooks size range from 4 to 9 for Nile perch and the 10 mm minimum mesh size nets for mukene/daaga fishery were considered difficult to accept. This was attributed to the low catch ability of the minimum meshes recommended and that the 10mm dagaa nets were not even available on the Ugandan market.

In order to improve effectiveness of LVFO CoM Directives, the Ministry of Agriculture, Animal Industry and Fisheries (MAAIF) need to ensure that CoM Directives are ratified by Parliament, adequate budgets provided for them, the full District Security Teams are involved in enforcement and there is co-ordination by Districts in enforcement.

## INTRODUCTION

The fisheries of Lake Victoria are shared between Kenya, Tanzania and Uganda and provide an immense source of income, employment, food and foreign exchange for East Africa. The lake produces a fish catch of over 800,000 tonnes annually, worth about US $590 million of which US $340 million is generated at the shore and a further US$ 250 million a year is earned in exports from the Nile perch fishery. The lake fisheries support almost two million people through household incomes as well as meeting the fish consumption needs of almost 22 million people in the region.

The Lake Victoria Fisheries Organization (LVFO) was formed through a Convention signed in 1994 by the East African Community (EAC) Partner States of Kenya, Tanzania and Uganda as a result of the need to manage the fisheries resources of Lake Victoria in a coordinated manner (LVFO 2001). The Organisation is an institution of the EAC whose aim is to harmonise, develop and adopt conservation and management measures for the sustainable utilisation of living resources of Lake Victoria to optimise socio-economic benefits from the basin for the Partner States. Recently, membership of LVFO was extended to Rwanda and Burundi.

The Council of Ministers (CoM), consisting of the Ministers responsible for fisheries of the Contracting Parties or their authorized representatives, is the top organ of LVFO. Its functions are, among others, to adopt management and conservation measures and to make such Directives as it may deem appropriate for the conservation and management of Lake Victoria's fisheries.

Every two years, CoM meets and comes out with Directives. Uganda, as a Partner State of LVFO, is required to implement these Directives. However, the effectiveness of these Directives has remained questionable. There is need for the Government and the general fisheries stakeholders to be able to benefit from the Directives by addressing the problems concerned.

The analysis is based on a case study of the 2009 CoM Directives made in Dar-es-Salaam, Tanzania, aimed at rejuvenating the declining Nile perch stocks of Lake Victoria. LVFO had just concluded the project "Implementation of the Fisheries Management Plan" (IFMP) on Lake Victoria, supported with a 29 million Euro grant from the EU that saw the establishment of Monitoring, Control and Surveillance (MCS) units and up to 355 Beach Management Units (BMUs) on Lake Victoria under a co-management strategy that brought together fishing communities with Government to manage the fisheries through joint decision-making, data collection, recommending policy and legislation and improving compliance. Despite these interventions, the use of illegal and unsustainable fishing gear and methods increased and Nile perch stocks and catches on Lake Victoria declined continuously (LVFO 2008).

The key measures covered under the 2009 CoM Directives included:

i) Zero tolerance approach to eradicate all illegal gears, capture and trading in immature fish to minimum 50% by June 2009 and 100% by December, 2009.

ii) Partner states to develop action plans to curb the catching and trading in under-sized fish immediately and to establish intelligence information systems to expose key drivers of illegal fish trade and promote information sharing among partner states.

iii) Raising of the minimum legal mesh size to 7" from the current 5" for the Nile perch fishery with duration of one year to allow fishers to adjust.

iv) Immediate restriction on the use of hooks size range 4 to 9 for the Nile Perch fishery.

v) Partner states to harmonize on the 10mm minimum mesh size nets for mukene/daaga fishery and to license mukene/daaga fishers with condition to fish outside a 2 km distance from the shoreline.

vi) Partner states to institute closed areas; *Lacustine* protected areas (LPAs) and enforce the ban on vertical joining of gillnets.

vii) Partner states to license boats which meet the legal size, fish inspection and fish quality standards

viii) Partner states to implement the Regional Plan Of Action to prevent, deter and eliminate illegal unreported and unregulated (RPOA-IUU) fishing and the Regional Plan Of Action on the management of the fishing capacity (RPOA- Capacity)

ix) Partner states to increase on national budgetary allocations for Monitoring, Control and Surveillance (MCS) of the fisheries.

## OBJECTIVES

The goal of the study was to provide information that would contribute towards improved incomes and fish consumption by sustaining the Nile perch stocks and catches on Lake Victoria, Uganda through improved policy process.

The specific objectives were as follows:

i) To examine the level of implementation of the measures contained in the 2009 CoM Directives to rejuvenate the Nile perch stocks and catches at the national, district and community levels.

ii) To assess the knowledge, attitudes, views and effects among fishers towards the measures under the 2009 CoM Directives.

## EXPECTED OUTPUTS

i) Status of implementation of the 2009 CoM Directives established.

ii) Knowledge, attitudes, views and effects of the 2009 CoM Directives among fishers established.

## METHODOLOGY

The study covered nine Lake Victoria Districts of Busia, Mayuge, Buikwe, Wakiso, Masaka, Kalangala, Namayingo, Mpigi and Rakai. Key Informant Interviews on implementation of CoM Directives were conducted with District Fisheries Officers (DFOs) in the sample Districts. This was followed by a sample survey of fishers' knowledge, acceptance and compliance with CoM Directives, involving 315 respondents from the selected Districts. One landing site was sampled per District.

## RESULTS AND DISCUSSIONS

The results showed the following:

i) DFOs conducted sensitization of BMU leaders and fishers on CoM Directives.

ii) Where the full District Security Teams, namely the OC Police, District Internal Security Officers (DISOs), Resident District Commissioners (RDCs) were involved, the chances of success were higher.

iii) Fishing at night and use of mobile phones by fishers to inform each other of operations made patrols difficult.

iv) There was lack of co-ordination between Districts on patrols.

v) Fishers were concerned with the high frequency with which CoM Directives and other fisheries related rules kept changing.

vi) Validity of CoM Directives was also questioned, as they did not pass through Parliament for approval. Some politicians capitalized on this and advised their fishers to disregard the Directives as they were not approved by Parliament.

vii) Lack of demarcations of closed areas.

viii) Language barrier for most fishers because the Directives were in English.

ix) Few copies made of dissemination materials on the Directives, eg brochures and posters), compared to the number of fishers.

x) Some BMUs received posters and pinned them in closed places like BMU offices and residences, rather than in open places, so only a few people were able to view them.

xi) Enforcement was limited by lack of transport and resources.

The results revealed that fishers were aware of and willing to accept most of the 2009 CoM Directives except for the following:

i) Raising of the minimum legal mesh size to 7" from the current 5" for NP fishery.

ii) Restriction on the use of hooks size range from 4 to 9 for the NP fishery.

iii) Raising to 10mm the minimum mesh size nets for mukene/ daaga fishery.

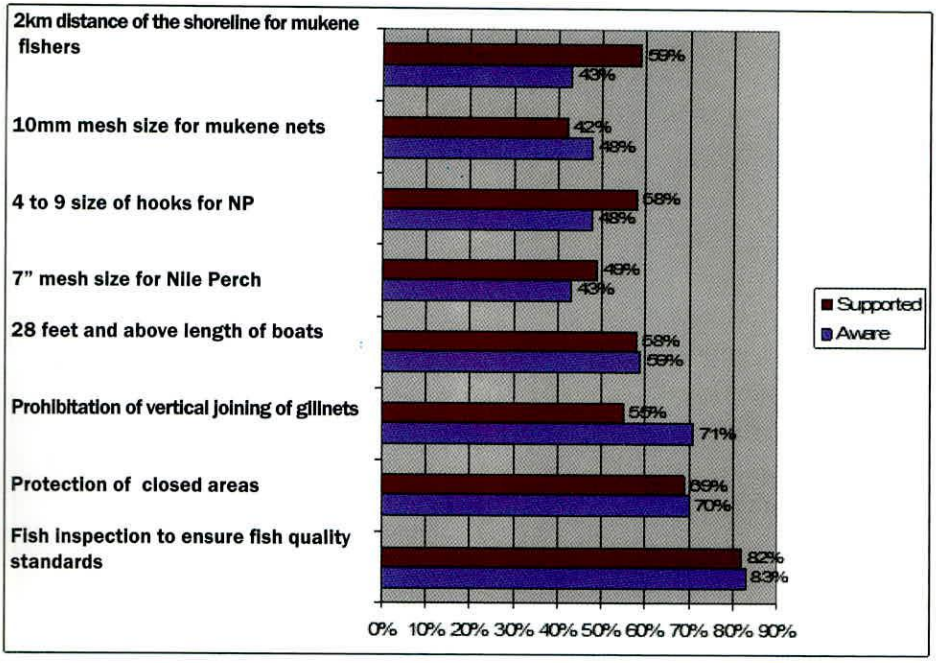


**Fig. 1: Fishers' awareness and willingness to comply with the 2009 CoM Directives**

*Source: Survey data*

The main reasons for not supporting these Directives were the low catchability and that the 10mm mukene/dagaa nets were not available on the Ugandan market.

## CONCLUSIONS AND RECOMMENDATIONS

Although this study focused on the 2009 CoM Directives, earlier directives have similar challenges in their implementation. Failure to effect CoM Directives as well as other related fisheries regulations will result in continued threats to the resource and the benefits there from. Uganda as chair of the LVFO organs through the Department of Fisheries and Ministry of Agriculture, Animal Industry and Fisheries, notably the Commissioner for Fisheries as Chair of the Executive Committee, Permanent Secretary as Chair of the Policy Steering Committee, and Honourable Minister of MAAIF as Chair of CoM should therefore, ensure the following:

i) Legal status of CoM Directives is clarified, by getting Parliament to ratify these Directives.

ii) CoM Directives are accompanied by relevant and adequate facilities and resources for dissemination and enforcement.

iii) Documents containing CoM Directives are translated into local languages and enough copies made and visibly displayed or given out to every fisherman to enhance awareness campaigns.

iv) The full District security teams are involved in enforcement as their presence is likely to significantly influence compliance because fishers are likely to take them more seriously than they take Fisheries Officers/DFOs whom they are used to.

v) Enforcement is carried out for a relatively longer period of about three months nonstop. When enforcement is carried out for a shorter period, fishers sometimes keep their illegal gears and wait for the enforcement to end and then resume using them.

vi) Enforcement agencies plan operations on the lake at the same time rather than having districts or sub counties or even BMUs organizing their own enforcement activities independently at different times.

vii) Closed areas are demarcated, so that fishers and enforcement personnel are aware of such areas.

viii) There is control on importation as well as the local manufacturing of illegal gears.

ix) The number of landing sites is reduced to a number that can easily be sustainably monitored, in consultation with the Districts and other relevant stakeholders.

x) Access to fisheries resources is controlled to limit the number of fishers, boats and gears exploiting the fisheries.

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# Fish production systems in Uganda

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